



**Re: "In-trench" treatment**

**David Einan** to: Dave Bartus

Cc: Andrew Boyd, Wendy Watson, Dennis Faulk

06/18/2011 08:51 AM

History:

This message has been replied to.

Dave--

Thanks for the note. I'm not convinced that what Ecology is proposing is not legal. I'd need to know more. It seems much the same as what we do at ERDF, which we do allow, and before you go too far I need to understand what the differences are. I also know of a RCRA-permitted landfill that macroencapsulates LDR waste much like we do at ERDF. I'm out until the 27th, so let's talk when I get back.

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-----Dave Bartus/R10/USEPA/US wrote: -----

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To: David Einan/R10/USEPA/US@EPA  
From: Dave Bartus/R10/USEPA/US  
Date: 06/17/2011 03:58PM  
Cc: Andrew Boyd/R10/USEPA/US@EPA, Wendy Watson/R10/USEPA/US@EPA, Dennis Faulk/R10/USEPA/US@EPA  
Subject: "In-trench" treatment  
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Dave:

I wanted to keep you in the loop on an issue that has been on-going for some time, and may be coming to a head with Ecology. The issue concerns macro-encapsulation of containerized waste within Trench 34 (and 31) in the low-level burial grounds. More specifically, Energy has in the past placed waste prohibited from land disposal into Trench 34 without demonstrating compliance with applicable LDR treatment standards, followed by treatment within the disposal unit. Our regulatory analysis in oversight of Ecology has concluded that this practice is not legal, and cannot be authorized. Energy has indicated that for radiation protection purposes, grouting or macroencapsulation of certain wastes is necessary within a disposal unit. EPA has no issue with Energy doing so, provided the requirements prohibiting land disposal, including placement in a land disposal unit of wastes not meeting applicable LDR treatment standards, is not violated.

As you know, similar practices may have occurred for mixed wastes placed in ERDF. In discussions of this issue at the program manager level between EPA and Ecology, Jane Hedges has pointed out the apparent disconnect between ERDF practices and EPA's oversight direction to Ecology. I wanted to make sure you were aware of these recent development, as I'm sure we'll need some additional internal discussions on this issue.

Dave